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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/298,538 04/22/99 CANOVA,

F 15886-210

EXAMINER

WM02/0228

HENRY J. GROTH  
WILSON SONSINI GOODRICH & ROASTI  
650 PAGE MILL ROAD  
PALO ALTO CA 94304-1050

NEI SON, A

ART UNIT

PAPER NUMBER

2675

DATE MAILED:

02/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/298,538

Applicant(s)  
Canova Et Al.

Examiner  
Alecia Nelson

Group Art Unit  
2675



☒ Responsive to communication(s) filed on Apr 22, 1999

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-27 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-4, 7-24, and 27 is/are rejected.

☒ Claim(s) 5, 6, 25, and 26 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. ***Claims 1-4, 7, 11-13, 15-18, 21, and 27*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels (U.S. Patent No. 5,270,821) in view of Carroll et al. (U.S. Patent No. 6,121,960).

With reference to claims **1-4, 7, 11, 12, 15-18, 21, and 27**, Samuels teaches a processor (24) disposed in a video display apparatus (10) receiving an activation signal for viewing

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parameter control from a first input mechanism, the activation signal corresponds to a interaction with the first input mechanism (see column 11, lines 39-45). Responsive to the activation signal, a program displaying graphical user interface elements adapted for viewing parameter control on the image screen (see column 4, lines 18-21), the processor receiving an adjustment signal indicating adjustment from prior values of the viewing parameter to new values of the viewing parameter (see column 4, lines 22-25), and responsive to receiving the adjustment signal, the processor adjusting the values of the viewing parameter for the image screen to the new value (see column 4, lines 26-36).

Samuels fails to specifically teach that the video display apparatus (10) is a portable computer apparatus. Further it is also well known in the art the usage of a digitizer and the ability for the user to control different functions thereby.

Carroll et al. teaches a portable computer apparatus in which it is possible to include contrast adjustment buttons represented on the touch screen itself but possibly on a housing of the touch screen (see column 4, lines 25-30). Carroll et al. also fails to specifically teach the usage of a digitizer, however, does teach the usage of a touch screen display panel as well as teaches that the invention is also applicable to a number of different input devices (see column 2, line 55-column 3, line 9). With further reference to **claim 13**, Carroll et al. teaches that more than two images can be combined, and any combination of application, keyboard, or other images can be combined in a composite image (see column 3, lines 24-31).

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Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to use the parameter adjustment capabilities, as taught by Samuels to a conventional portable display to thereby allow the user to easily and precisely adjust the parameters of a display without adjusting electromechanical inputs (see column 3, lines 13-15).

3. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels in view of Carroll et al. as applied to **claim 1** above, and further in view of Bertram et al (U.S. Patent No. 6,191,785).

With reference to **claim 8**, Neither Samuels nor Carroll et al. specifically teach a first and second pressing region on the input mechanism in which the incremental adjusted level is larger with a greater pressing time on the pressing region.

However, it is well known in the art, in both PC's as well as portable computers the ability to adjust in larger increments when pressing the designated pressing area on a scroll bar. Moreover, Bertram et al. teaches with reference to conventional art, a horizontal scroll bar (88) in which the user operates by utilizing either left arrow (84) or right arrow (67). If the user clicks on left arrow (84) and holds down a pointing device button, the value will continue decreasing until the button is released (see column 8, lines 17-30).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow for greater adjustment when the pressing time is greater to thereby prevent the user for repeatedly "clicking" to make a large adjustment.

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4. *Claims 9, 10, 14, 19, and 20, 22-24* are rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels in view of Carroll et al. as applied to **claims 1 and 16** above, and further in view of Cheng (5,912,663).

With reference to **claims 9, 10, 19, and 22-24**, Samuels and Carroll et al. teach all that is required as explained above with reference to **claims 1 and 16**, however, fails to specifically teach the usage of a button disposed on the portable computer that has the ability to rotate as well as be pushed. Carroll et al. does teach that contrast adjustment buttons could be presented on the housing of the device (see column 4, lines 25-30).

Cheng teaches a micro-processor based controller unit (10) which handles the screen display parameters by detecting the video mode indicated by the video interface (12) and comparing the video mode of the video interface (12) with the contents of memory (18), the result of the comparison being an indication of the need of for adjustment of the display (see column 2, lines 38-43). Flywheel comprises a user-actuable, rotatable knob which is allowed to rotate both clockwise and counterclockwise and is also depressible (see column 2, lines 54-56).

With reference to **claims 14 and 20**, Samuels and Carroll et al. teach all that is needed as explained with reference to **claims 1 and 16** above. Carroll et al. teaches that the variable pixel control can provide contrast adjustment between the images, including at least one of the brightness and color (see column 49-56).

Cheng teaches adjusting control screen display parameters such as resolution and display size (see column 2, lines 26-29).

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Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to use a rotatable/depressible button on the portable device to control the display parameters. This thereby provides the user with an easier way to adjust the display for better viewing.

***Allowable Subject Matter***

5. ***Claims 5, 6, 25, and 26*** objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 2023; or faxed to: (703) 308-9051, (for formal communications intended for entry) or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT"). Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

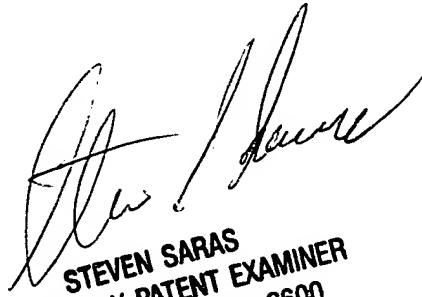
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alecia D. Nelson whose telephone number is (703)305-0143 between the hours of 8:00 a.m and 5:00 p.m. on Monday-Friday.

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If attempts to reach the above examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703)305-9720.



STEVEN SARAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

adn/ADN  
February 26, 2001